

*Order prepared by*  
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**IN THE UNITED STATES BANKRUPTCY COURT**  
**District of Utah**

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**In the Matter of:**

Jennifer Atkinson,

**Debtor(s)**

Case No. 17-20039

Chapter 13

**Judge Joel T. Marker**

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**ORDER ON OBJECTION TO DISMISSAL**

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Debtor filed an Objection to Dismissal and for Attorney Fees and scheduled a hearing for **January 23, 2019**. Notice of the Objection was given to the parties as evidenced in the Certificate of Service. The Trustee was the only party to respond and the Trustee's objections have been resolved.

WHEREFORE, this Court, having reviewed the pleadings on file, being fully advised in the premises and good cause appearing, hereby ORDERS:

1. The Trustee's Motion to Dismiss is denied;
2. Debtor must be current on all plan payments due through December 25, 2018, no later than January 24, 2019, or the Trustee may file a notice of non-compliance and dismiss the case

without further notice or hearing;

3. If any portion of the cure payment is subsequently returned to the Trustee as unpaid for any reason, including insufficient funds, the Trustee may file a Declaration of Non-Compliance, and this case will be dismissed without further notice or hearing; and

4. Attorneys fees in the amount of \$199.00 are awarded as an administrative expense under 11 U.S.C. § 503(b) and that they are to be paid by the Chapter 13 trustee from property of the estate to the extent funds are available.

END OF ORDER

**DESIGNATION OF PARTIES TO BE SERVED**

Service of the foregoing Order RE Objection to Dismissal and for Attorney Fees shall be served to the parties and in the manner designated below:

By Electronic Service: I certify that the parties of record in this case as identified below, are registered CM/ECF users and will be served notice of entry of the foregoing Order through the CM/ECF system:

Chapter 13 Trustee

E. Kent Winward, Counsel for Debtors

By U.S. Mail - In addition to the parties of record receiving notice through the CM/ECF system, the following parties should be served notice pursuant to Fed R. Civ. P. 5(b):

Jennifer Atkinson,  
363 West 4775 South  
Washington Terrace, UT 84405

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E Kent Winward  
Abraham Smoot  
Attorneys for Debtor(s)